

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

ANTHONY P. KEYTER,

Plaintiff,

v.

230 GOVERNMENT OFFICERS,

Defendant.

Case No. C04-5867(RJB)CCL

ORDER

On May 20, 2005, the undersigned Senior District Judge granted Defendants' motions to dismiss Plaintiff's Complaint, with prejudice, for failure to state a claim and for lack of subject matter jurisdiction. The undersigned also ordered stricken Plaintiff's Notice of Joinder of Government Officers, which was filed by Plaintiff on May 3, 2005, in an attempt to belatedly add as parties defendant 51 government officers, including the undersigned and Judges Bryan and Lasnik of the United States District Court, Tacoma Division, as well as counsel for the United States herein.

Specifically, the order dismissing Plaintiff's Complaint ruled as follows:

IT IS HEREBY ORDERED that Plaintiff's Motion to Disqualify Judge is DENIED.

IT IS FURTHER ORDERED that all motions to dismiss are GRANTED. The Complaint is DISMISSED with prejudice for failure to state a claim and for lack of subject matter jurisdiction, and all relief is denied to Plaintiff.

IT IS FURTHER ORDERED that Plaintiff's Notice of Joinder of Government Officers is STRICKEN.

1 IT IS FURTHER ORDERED that Plaintiff Anthony P. Keyter is prohibited  
2 from filing in this Court against any of the 230 named Defendants or the 51 proposed  
3 additional defendants any further claim arising from the subject matter of this case.  
Any future filing that violates this prohibition will be subject to summary dismissal by  
the court and may subject Keyter to a citation for contempt of court.

4 Let judgment enter.

5 Now before the Court is a July 14, 2005, filing by Plaintiff entitled "Amendment to Notice of  
6 Joinder of Government Officers." This filing states that it is submitted for the purpose of adding  
7 three additional defendants to the case to the proposed 51 additional defendants (and deleting two  
8 defendants from the proposed 51 who are duplicated in the original Complaint). Additionally,  
9 Plaintiff has undertaken actions and efforts to serve or otherwise obtain jurisdiction over some of  
10 these 3 additional defendants and to continue this case.

11 It appears to the Court that:

- 12 1. Plaintiff, having filed, on July 14, 2005, a Notice of Appeal with the Court of Appeals  
13 of the Ninth Circuit, is prohibited from attempting to prosecute further his case in the  
14 district court.
- 15 2. The attempted amendment is a nullity in that the document to be amended has already  
16 been stricken from the record. Any attempt to serve process upon any of the  
17 proposed additional defendants is invalid, as such service of process is not supported  
18 by any valid Complaint naming any proposed additional defendant and final judgment  
19 has entered in the case.
- 20 3. The Amendment to Notice of Joinder of Government Officers is a violation of this  
21 Court's order that no more filings be made against any of the 230 named Defendants  
22 or the 51 proposed additional defendants.
- 23 4. The Amendment to Notice of Joinder of Government Officers is subject to summary  
24 dismissal by this Court.
- 25 5. This Court finds that the Amendment to Notice of Joinder 4 of Government Officers  
26 constitutes contempt of court as it is a willful disobedience of this Court's lawful

1 order and a misbehavior in the Court's presence or so near thereto as to obstruct the  
2 administration of justice. 18 U.S.C. § 401. The Court, in due course, may set down a  
3 time and place for hearing and consideration of possible imposition of sentence for  
4 contempt of court of Anthony P. Keyter.

5 6. Because defendants are uncertain regarding the effect of the improper attempted  
6 "Amendment of Notice" and are also uncertain how or whether to respond to it to  
7 properly protect their interests, this Court deems it necessary to enter this ministerial  
8 order despite transfer of jurisdiction to the Court of Appeals.

9 Accordingly, IT IS HEREBY ORDERED that Plaintiff's "Amendment to Notice of Joinder  
10 of Government Officers" (Document No. 62) is STRICKEN.

11 The Clerk is directed forthwith to notify the parties and all proposed defendants named in the  
12 Amendment of Notice of Government Officers of entry of this order.

13 Done and dated this 22<sup>nd</sup> day of August, 2005.

14  
15 /s/  
16 CHARLES C. LOVELL  
17 Senior United States District Judge  
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